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## **Venezuela**

### **Food and Agricultural Import Regulations and Standards - Narrative**

#### **FAIRS Country Report**

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#### **Report Highlights:**

This report was prepared by the Office of Agricultural Affairs of the USDA/Foreign Agricultural Service in Caracas for U.S. exporters of domestic food and agricultural products. While every possible care was taken in the preparation of this report, information provided may not be completely accurate either because policies have changed since its preparation, or because clear and consistent information about these policies was not available. It is highly recommended that U.S. exporters verify the full set of import requirements with their foreign customers, who are normally best equipped to research such matters with local authorities, before any goods are shipped. FINAL IMPORT APPROVAL OF ANY PRODUCT IS SUBJECT TO THE IMPORTING COUNTRY'S RULES AND REGULATIONS AS INTERPRETED BY BORDER OFFICIALS AT THE TIME OF PRODUCT ENTRY.

#### **Section I. Food Laws:**

The Bolivarian Republic of Venezuela's (BRV) legislation governing domestically produced and imported processed food products, beverages, additives, and coloring agents for foods destined for human consumption are contained in the "General Food Norm." This general food safety law describes all requirements, including labeling requirements that processed food products

must fulfill in order to be offered to consumers. The norm also requires registration for locally produced and imported processed food products. Complementary norms were established on March 3, 1996 (Official gazette N° 35,921.) An online version of the Food Law can be accessed through the following website:

<http://www.gobiernoenlinea.ve/legislacion-view/sharedfiles/reglamentogeneralalimentos.pdf>

The Ministry of Health (MINSALUD), through its Food Hygiene Division, is responsible for implementation of the norm. MINSALUD enforces food recalls and recommends to other ministries any bans of local and imported processed food products thought to be harmful to human health.

The Ministry of Food (MINAL) is responsible for issuing import permits, licenses and any other documents needed for agricultural and processed food products. MINAL supervises almost every aspect related to distribution and storage of food for human consumption. Broader tasks include supervising advertisements dealing with food, food quality, and health-related issues.

The Ministry of Agriculture and Lands (MAT), through the National Institute of Integral Agricultural Health (INSAI) is in charge of issuing phytosanitary or sanitary health import permits for imported products and sub products of plant or animal origin, and animals and plant breeding material. INSAI is the equivalent of the Animal and Plant Health Inspection Service in the United States.

The Ministry of Light Industries and Trade (MICOM) is part of an inter-ministerial commission along with MINAL, MAT and MINSALUD that defines the criteria for allowing imports of agricultural and processed food products.

## **Section II. Labeling Requirements:**

There are currently three sets of documents which serve as sources for labeling requirements in Venezuela. These are the General Food Norm (*Reglamento General de Alimentos*), the Sanitary Defense Law, and COVENIN norms. Beverage alcohol products must be registered with the Ministry of Health.

On July 31, 2008, the BRV issued 26 new decrees. Among those decrees is the "Law for the Defense of the People in the Access to Goods" which includes some significant changes in the labeling requirements.

The Ministry of Health oversees processed food labeling in Venezuela. Labeling is mandatory for domestically produced and imported food products. MINSALUD's authorities may require the elimination or modification of any paragraph or phrase concerning a particular product, as well as recommending the addition of any paragraph or phrase they deem necessary.

This law has important implications for agricultural products traders, processors, and retailers. Post provides an informal summary of the Law. For greater detail, please refer to GAIN VE8089

General guidelines are presented below:

- a. Language: All labels must be presented in Spanish. A Spanish translation of the original/foreign label must be authorized by MINSALUD. The approved label must be

stamped, sealed or printed with indelible ink. The approved label must be applied to the product prior to export because goods must enter the country in their final presentation.

a. Information on Label: The label must include the following information:

- Descriptive name of the product
- Brand name or trademark
- Net weight or net content (only metric measurements are accepted)
- List of ingredients in decreasing order
- Manufactured by (name of company) in (name of city, state, country)
- Imported by (name of importer/importing company)
- Special handling and storage requirements to keep the product safe, if any
- Cooking and oven temperatures must be indicated both in Celsius and Fahrenheit
- Detailed instructions for preparation or use
- Expiration date and/ or Minimum shelf life, in a legible, visible and indelible form
- The MINSALUD Registration Number.
- The SNML registration number (metrology registration through the National Autonomous Standardization, Quality, Metrology and Technical Regulations Service (Servicio Nacional de Estandarización, Calidad y Metrología, or SENCAMER)
- Any other requirement stated by COVENIN norms, General Food Law or special requirements ordered by MINSALUD

c. Nutritional Labeling: Only foods for special dietary use are required to include nutrient information on the label (according to the Official Gazette No. 31.106 dated 11-9-1976.) Nutritional information must be expressed as a percentage of the recommended daily requirement set by the INN. Recommended Daily Nutritional Intake (RDI's) may be different from those in the United States. The complete list of RDI's is available in the National Nutrition Institute's (INN), and is not available on-line. The following additional information must appear on labels for processed foods that are marketed for specific dietary use:

- Energy value, protein, digestible carbohydrate and fat contents (expressed in grams)
- Amounts of any nutrients claimed to have special nutritional value
- For vitamins A and D, nutrient content must be expressed in international units
- For all other vitamins and minerals nutrient content must be expressed in milligrams or micrograms
- Energy values must appear in calories

d. Labeling for baby foods: There is no special labeling requirement for baby foods. It is known that MINSALUD is very concerned about the use of modified food starches. Mentioning processes used in modified food starches is strongly recommended at the moment of completing the food registration process.

e. Seasonings, Colorings and Flavorings: Locally produced and imported ingredients that could be used in the formulation or further processing of food products must be registered with MINSALUD. The names of spices used as seasoning, colorings and flavorings of processed food products must be specified in the label.

f. Health Claims: Information about health claims is subject to MINSALUD's consideration and approval is given on a case-by-case basis.

g. Product that may cause allergies: If a product consists or includes any of the following food products or ingredients that may cause any allergic reaction, it must be included in

the label, with their specific names as follows:

- Processed food products containing grain gluten (wheat, rye, oats, barley, spelt or any grain hybrid or product)
- Crustacean and by-products
- Eggs and by-products
- Fish and fishery products
- Soybeans and their products
- Milk and dairy products, including lactose
- Nuts and derived products

- h. Refund coupons or free offers: Promotions of domestically produced processed food products (free offers and coupons) are allowed if previously notified and approved by the Consumer's Defense Institute, INDEPABIS. Information about general promotion conditions, valid dates and INDEPABIS' approval number must be affixed to the food product. Foreign countries' free offers or coupons are not valid in Venezuela. Therefore, this should be clearly specified on the Spanish version label, or if the label is printed especially for exportation, it is necessary to include this statement. Additional information about promotion requirements can be accessed through the following link: <http://www.indepabis.gob.ve/>

### **Section III. Packaging and Container Regulations:**

In general, packaging and container regulations are enforced by SENCAMER, based on COVENIN, the compiling body for technical standards, norms, but also may follow Codex Alimentarius guidelines. COVENIN. New manufacturing, storage and transportation practices for foods for human consumption were established by the MINSALUD through official gazette Nº 38,739, dated 05-08-07 (which replaced the norms of official gazette Nº 36,081, dated 07-11-1996). Containers, vessels, canning, bottling and packing materials used to handle inputs or finished products should meet the following general requirements:

- Manufactured with materials suitable for that kind of food such as glass, tin, plastic, paper, cardboard, or another material approved by MINSALUD authorities
- Must not transmit substances to the food beyond the allowed limits under the standards in-force
- Shall not have been previously used for any different purpose that might contaminate the food

Additional information about packaging and container requirements can be accessed through the following link: <http://www.sencamer.gob.ve/sencamer/action/normas-find>

### **Section IV. Food Additives Regulations:**

General definitions concerning food additives and contaminants are contained in COVENIN norm #910. U.S. exporters should note that some food additives authorized by the Food and Drug Administration in the United States are not authorized in Venezuela and vice versa. All COVENIN standards can be accessed and downloaded through SENCAMER web page:

<http://www.sencamer.gob.ve/sencamer/action/normas-find>.

Some general guidelines concerning food additives are:

- Food additives and contaminant tolerance levels are specified in individual COVENIN food standards
- Food additives are approved during MINSALUD's health registration, using COVENIN standards
- In the absence of a COVENIN standard for a specific food additive, guidelines from Codex Alimentarius are used and are approved on a case-by-case basis by MINSALUD
- For sausages, ham, meat and meat products in combination with other foods, the total level of nitrite and nitrate must be indicated
- "Maximum Level of Chemical Residues" is based on Codex Alimentarius guidelines
- When monosodium glutamate (MSG) is used, it would be useful for MINSALUD's health registration purposes to specify the level used

## **Section V. Pesticides and Other Contaminants:**

All domestically produced and imported pesticides should be registered with INSAI. Venezuela does not have a national standard for pesticide Maximum Residue Levels (MRLs). However, regulations and guidelines concerning manufacturing, marketing and use of pesticides are under the "General Pesticide Regulations" (Reglamento General de Pesticidas) published in 1968. While there have been no updates to this norm, Codex Alimentarius "Pesticide Residue Tolerances Guidelines" are generally observed by INSAI. Information about approved pesticides is available through INSAI's offices.

Currently, no government agency has the responsibility or authority to monitor pesticide residues in agricultural and processed food products. If an agricultural or processed food product is suspected of being contaminated with pesticides or similar products, INSAI can recommend its retention until further analysis proves the contrary. INSAI can recommend specific lab analysis to confirm contamination. MAT, MINAL and MINSALUD are responsible for enforcing retention. If lab results confirm pesticide contamination, products will be destroyed and no indemnification will be granted.

## **Section VI. Other Regulations and Requirements:**

### **REQUIRED DOCUMENTS**

Documents needed for customs clearance may include, but are not limited to:

- Customs declaration of value
- Commercial invoice
- Bill of lading
- Certificate of origin
- Import Pre-Inspection Certificate
- Sanitary Certificate – this certificate is required for all wine, beer, and distilled spirits products imported into Venezuela

## **Animal Products and Unprocessed Plant Products**

Imported products and sub products of plant or animal origin, and animals and plant breeding material are subject to the issuance of a phytosanitary permit or sanitary health (SPS) permit from INSAI. INSAI is authorized to restrict or prohibit the importation, marketing or use of animal and plant products. For these cases, INSAI's "Standing Technical Advisory Body" will recommend the appropriate course of action on the basis of a risk analysis. The general guidelines for importing animal and plant products are:

- The importer, exporter or producer should be registered in INSAI. The validity of this registration is indefinite, but it can be cancelled due to non-compliance with dispositions stated by pre-established laws and regulations.
- Prior to importing animal products and/or unprocessed plant products, importers should request and obtain a phytosanitary or sanitary health (SPS) import permit from INSAI.
- Specific SPS statements (treatment and other conditions) for each type of product are determined by INSAI on a case-by-case basis.
- Specific SPS statements are written on the import permit issued by INSAI.
- INSAI's import permits have a non-renewable period of validity of between 60 and 90 days, depending on the product:
  - Sanitary health import permits are issued for animal products and livestock-farming inputs (validity of 60 days)
  - Phytosanitary import permits are issued for plant products (validity of 90 days)
- Import permits are only used for one shipment and one previously designated port of entry.
- Every shipment must be accompanied of an import permit issued by INSAI and its corresponding APHIS or FSIS export certificate.
- The "remarks" section of the APHIS or FSIS export certificate should include the specific SPS statements, and should be written both in English and Spanish.
- No product should be loaded in a vessel before the import permit is received and the sanitary statements required in it are written on the APHIS or FSIS export certificate.

### **Import Licenses for Basic Agricultural Products**

Under its World Trade Organization (WTO) commitments, Venezuela is entitled to administer tariff rate quotas for up to 62 HS code headings. The tariff rate quotas are administered through an import license regime. MINAL is responsible for issuing import licenses, but

approval is subject to the concurrence of the “Interministerial Commission.” The Interministerial Commission consists of the following ministries: MINFINANZAS, MILCO, MAT, MINAL, and MINSALUD.

The validity of import licenses for a certain group of food products considered essential was extended from the original four month period to six-month and one-year periods. The products that will benefit from an extended import license are milk and cream, cheese, sorghum, soybean oil, palm oil, and coconut oil. Import licenses are valid for six months to a year, for certain products. The basic guidelines are:

- Import licenses are valid for four, six or twelve month periods, and can only be renewed if, on expiry, they have not been used for reasons outside the importer’s control.
- When applying for a license, local importers are required to submit a monthly list of imports actually realized, indicating volume and value, together with the invoice of the most recent import, also indicating the volume and value of the merchandise in question.
- The importer must indicate the amount of the allocated quota that remains unused.
- Local importers are required to obtain a “certificate of non-domestically produced food product” and a “certificate of not-sufficient domestically produced food product” from MILCO, in order to obtain import licenses.

U.S. exporters must consider the long time frames between the process of obtaining an import license, and the final shipment of the product. The process of obtaining an import license is involved and takes a considerable amount of time and resources from the local importer. Most recently, an special window (office) to process import licenses as well as “certificate of non domestically produced food product” was opened. This office is called “taquilla unica.”

**Table 1. List of products that are subject to import licenses**

Yellow corn	Sorghum
Soya beans	Palm nuts and kernels
Soya bean oil	Other oils
Palm oil	Sunflower seed oil
Coconut oil	Other vegetable fats and oils
Soya bean cake	Animal and vegetable fats
Degras, yellow grease	Milk and cream, not concentrated
Milk in powder, not exceeding 1.5 percent fat	Whole milk 26 percent
Cheese	Sugar Cane

Source: Official Government Gazettes, various issues and FAS/Caracas

For those products where the licensing system has not yet been implemented (45 products) such as beef, pork and poultry, the BRV restricts the issuance of SPS permits.

## **Seeds**

Import permits for seeds are issued by INSAI, after evaluating pest risk analysis results that they conduct. Requirements for pest risk analysis are provided by INSAI on a case-by-case basis. Both locally produced and imported seeds must be registered through the National Seed Service (SENASEN).

Guidelines for registering seeds can be accessed through the following web page: <http://www.inia.gob.ve/>

## **Processed Animal Products**

An FSIS certificate must accompany each shipment of meat and poultry and/or products. Venezuela accepts imports from all FSIS approved plants. All federally inspected meat and poultry plants are eligible to export to Venezuela. As noted above for unprocessed plant products, importers are required to have an import permit before importing meat and poultry products. Certificate requirements of the Bolivarian Republic of Venezuela are currently included in the FSIS export certificate library:

[http://www.fsis.usda.gov/Regulations & Policies/export information/index.asp](http://www.fsis.usda.gov/Regulations%20&%20Policies/export%20information/index.asp)

## **Processed Food Products Health Registration**

All domestically produced and imported processed food products must be registered with MINSALUD, through its Food Hygiene Division, before they can be sold to Venezuelan consumers. Although Venezuelan law does not prohibit a foreign exporter to register food products, a local consultant or agent may prove to be the best resource in order to complete the food registration process. The general guidelines for registering processed food products are:

- All consumer-ready food products under the following Venezuelan Harmonized Schedule headings (HS codes) are subject to registration: 03,04,05,16,19,20,21 and 22.
- Prior to importing consumer-ready food products, importers should obtain a registration number from MINSALUD.
- Processed foods not registered in the country of origin cannot be registered in Venezuela.
- All new-to-market local or foreign processed food products must be submitted for registration



before being imported.

- The foreign exporter/seller is the owner of the product registration, although authorized importers can proceed with the registration process.
- The processed food product health registration is valid for five years. Renewals are permitted.
- In special cases, MINSALUD would consider exceptions to the registration process for BRV food imports, like the ones carried directly by government entities.
- If an imported product does not meet the minimum quality standards or does not have a health registration number, it could be confiscated and/or destroyed by MINSALUD authorities.
- Inspection at the point of sale is done by MINSALUD and INDECU authorities on a regular basis to determine if imported products are fit for human consumption, have sufficient shelf life, or alternatively are thought to have been adulterated.

### **Obtaining a Health Registration Number for Processed Foods- Step by Step**

In general, registering processed food products (food registration) through MINSALUD takes 20 to 25 working days. However, it may take longer because of the high number of applications. The following is a guideline of the step-by-step process:

- Fill out an application for Health Registration for Food (SIE-5-197).

The following documents that must accompany the application (all documents issued by foreign authorities must be presented for legalization at a Venezuelan consulate in the country of origin and translated into Spanish):

- A certificate of free sale and consumption issued by competent authorities in the country of origin. The certificate must state that the food is for human consumption, or for processing, or for use as an input in food for human consumption in the country of origin, with a period of validity of 12 months from the date of application
- Certificate of chemical, physical and microbiological test conducted by an accredited lab in the country of origin
- A letter from the foreign manufacturer, or a power of attorney, authorizing the Venezuelan representative to apply for health registration of the product in Venezuela
- A letter of authorization from the Venezuelan representative, if a third party is requesting the health registration on his/her behalf
- One sample of the food product

- Three copies of the original labels and packages used to market the product in the country of origin
- Three copies of the draft label that will be used in Venezuela, in Spanish
- In the case of food products that require special storage conditions, these should be clearly indicated
- Any other requirement listed by COVENIN standards, the General food Norms or specifications of MINSALUD
- List of ingredients, including additives, colors and preservatives

Once all documents are submitted, MINSALUD gives authorization to conduct the corresponding laboratory testing for each of the food products to be registered. For meat, poultry, and dairy products lab tests must be conducted in the BRV's main lab "Instituto Nacional de Higiene Rafael Rangel." For all other processed food products, MINSALUD designates (on a case-by case basis) an accredited private lab to conduct food testing. Lab results are submitted directly to MINSALUD. If the lab results are considered satisfactory, MINSALUD will assign a health registration number. Health registration numbers are published in the official gazette.

### **Samples for Registration Process**

As part of the health registration process, the U.S. exporter or Venezuelan importer must submit samples (generally no more than three) of each product/model for which a registration is being sought to MINSALUD's previously designated and accredited Venezuelan laboratory. Samples without commercial value should meet the following requirements in order to obtain exemption from the payment of import duties and value-added tax:

- Sender needs to be the producer of the product, its representative, or the authorized exporter
- The addressee shall be a company or an importer with experience in this activity
- All documentation (commercial invoices, transportation invoices or others) shall contain annotations demonstrating that the products are samples without commercial value
- Samples should be identified as having no commercial value. It is advisable to mark the package with the following wording "Muestras sin valor para su registro en el Ministerio de Salud" (Samples without commercial value for registration with MINSALUD).

## **SECTION VII. OTHER SPECIFIC STANDARDS**

### **Exchange Rate Policy**

Since early 2003, strict control policies govern and limit transactions with foreign exchange. Currency trading is illegal and all import transactions must be approved by the government's foreign exchange administration commission (CADIVI). Importers must register with CADIVI for formal applications for foreign currency transactions. When approved, the transactions are then liquidated through the Central Bank and finally through commercial banks. A complete list of imported agricultural products that can be imported at the official foreign exchange rate can be found at: <http://www.cadivi.gob.ve>. The list should be checked periodically as products are added or removed by CADIVI without previous notice. Currently, the exchange rate is set Bs. 2.15/US\$.

During 2009, the Foreign Exchange Commission (CADIVI) has approved USD 1.063 billion for the food sector by April 30, 2008. Food sector imports were mainly in the following commodities: whole powdered milk; cakes and other residues of soybean oil; yellow corn, and wheat. CADIVI has authorized USD 19 million in foreign exchange for other dairy products as well. Likewise, the meat sector has received allocations for USD 43 million under the "Pago a la Vista" mechanism. Beef deboned, fresh or frozen, is the most heavily imported meat product. Other products acquired in international markets are: fertile eggs, soybean oil, palm oil, and milk. Arguably, the two major considerations for the U.S. exporter are to factor the delay in receiving payment into the business transaction equation and to be certain that one is working with a Venezuelan importer who can do the CADIVI paperwork properly.

For more information about food products included in CADIVI's priority list, visit: <http://www.cadivi.gob.ve/normativa/pdf/minal1.pdf>

### **Price Controls**

Since January 2003, the BRV imposed a price control policy on basic food and processed food products. MAT, MINAL, MILCO and MINFINANZAS are responsible for recommending changes to the controlled-price list. Changes to the list of food products under price controls include: a) adding or removing products from the list, and b) increasing or lowering prices of certain food products. It is important for exporters to check the list of products under price controls and their current prices, as it changes periodically. For the current list of products subject to price controls refer to Appendix B.

### **Import Tax exoneration for Basic Products**

As of February 21, 2008, the import tax exoneration for certain agricultural and processed food products is permanent. Products of "first necessity," or of primary importance to Venezuela's consumers and form part of the basic staple basket of food products (Official gazette N° 38,875, dated 02/21/08) are so classified. The import tax exoneration was implemented for the first time in January 28, 2003. It has been renewed every six months and

products on the original list have changed since then. Currently, MINAL and MINFINANZAS are responsible for reviewing and updating the list of products, with the recommendations of the "Interministerial Commission."

**Table 2. List of Products Exempted from Import Tax**

Live bovine animals	Meat of bovine animals, fresh, chilled, frozen, including boneless	Powdered milk, infant formula and soy-based infant formula
Durum wheat and other wheat	Potato seeds	Sugar cane seed for sowing
Oilseeds (soybean, sunflower, cottonseed and palm nuts and kernels) for sowing	White and yellow corn seed for sowing	Vegetables, for sowing: onion, broccoli, carrot, lettuce, and tomato
Dry beans, peas and lentils, for sowing	Dry beans, peas and lentils	Protein concentrates and textured protein substances

Source: Official Government Gazettes, various issues, and FAS/Caracas

### Value Added Tax

The BRV through the National Integrated Tax Administration Service (SENIAT) applies a flat 12 percent Value Added Tax (IVA) on sales of domestically produced and imported food products. Generally, the IVA rate is established annually. The IVA applied to imports is based on the total customs value.

**Table 3. List of Products Exempted from IVA**

Rice	Coffee, beans or grounded	Milk, soy-bases
All flours, of vegetable origin	Tuna, canned, natural	Cheese, white, hard
Bread and pasta	Sardines, canned	Margarine and butter
Eggs	Milk, crude or pasteurized	Poultry, fresh or frozen
Salt	Milk, powdered	Certified seeds
Sugar	Milk, infant formulas	Vegetables

Source: Official Government Gazettes, various issues and FAS/Caracas

### Genetically Modified Organisms

Venezuela follows Andean Community Decisions N° 391 and 345, which establishes a common regime for access to genetic resources. Venezuela published in the Official Gazette N° 5,468 of May 24, 2000 its Biodiversity law (Ley de Biodiversidad Biologica), which creates a national office for biodiversity. The Ministry of Environment and Natural Resources has the authority to oversee all genetically modified organisms (GMO's). However, there are no specific guidelines for registering genetically modified foods or food products. Research is being done, but the lack of initiative on developing implementing regulations hinders real progress. There are no

commercial biotechnology crops under development in Venezuela, and the Bolivarian Republic of Venezuela (BRV) has not granted approval for planting biotechnology crops from any source. The majority of biotechnology research refers to molecular genetics and tissue culture, as well as diagnostics of animal viral diseases. The research is mainly done by government institutions and universities, with minimal private sector involvement.

## **Section VIII. Copyright and/or Trademark Laws:**

SAPI, the Intellectual Property Registration, is the agency responsible for intellectual property rights administration in Venezuela. While Venezuela is a member of the World Intellectual Property Organization (WIPO) and remains signatory to various international intellectual property agreements, until recently it applied Andean Community regulations. Through Andean Community Decision 486, Venezuela ratified the provisions of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS.)

Recently, SAPI announced that the technical information of patents licensed in Venezuela will be posted on their website and any person will be able to make use of it. President Chavez has ordered the elimination of the right to have patents and industrial property.

### **Brand Name and Trademark Registration Process**

All brand names and trademarks of local and imported processed food products to be sold in Venezuela must be registered with SAPI. Usually, brand name and trademark registrations are among the services provided by specialized law firms in Venezuela. The basic guidelines for registration of brand names and trademarks are:

- Prior to registering, a name search should be conducted
- Approval or rejection of a brand name is based on phonetics and spelling matches with brands for similar products
- Approved and registered brand names are published in quarterly SAPI bulletins
- All the documents relating to patents, designs, trademarks, etc. are published in the Industrial Property Bulletin
- The process takes from three to six months to be completed

## **Section IX. Import Procedures**

The BRV implemented the United Nations Custom Computerized System (SIDUNEA) in the majority of Venezuelan ports of entry. With this system, clearing customs takes approximately five to eight working days. By law, only nationals and private custom agencies with Venezuelan local staff are entitled to conduct customs procedures. A custom agent assesses customs, port charges, and taxes as well as fills out paperwork forms. Generally, the custom agent's fee is one percent of the CIF value, plus any other charges accrued during off loading.

All imported goods presented at the ports of entry must be officially declared to SENIAT authorities within five days of the arrival date. Fines may be levied and applied to any shipment when the customs entry is made later than five days after the date of arrival. When an importer either delays or refuses to claim a product arriving in Venezuelan ports, SENIAT will impound the goods not claimed, and, if steep fines and storage fees are not promptly paid, sell the goods at auction.

All shipments must be made on a direct consignment basis. Customs regulations stipulate that the consignee is the owner of the shipment and is responsible for all customs payments.

Importers must register all of their products with MINSALUD's Food Hygiene Division prior to placing the product on the Venezuelan market. Products that have not been previously registered in their country of origin may not be registered in Venezuela. The registration for each product is valid for a period of five years.

The following is a step-by-step outline of the procedures to be followed:

1. Fill out an application for Health Registration for Food (SIE-5-197).
2. The following documents that must accompany the application (all documents issued by foreign authorities must be presented for legalization at a Venezuelan consulate in the country of origin and translated into Spanish):
  - A certificate of free sale and consumption issued by competent authorities in the country of origin. The certificate must state that the food is for human consumption, or for processing, or for use as an input in food for human consumption in the country of origin, with a period of validity of 12 months from the date of application.
  - Certificate of chemical, physical and microbiological test conducted by an accredited lab in the country of origin.
  - A letter from the foreign manufacturer, or a power of attorney, authorizing the Venezuelan representative to apply for health registration of the product in Venezuela.
  - A letter of authorization from the Venezuelan representative, if a third party is requesting the health registration on his/her behalf.
  - A sample of the food or beverage product.
  - Three copies of the original labels and packages used to market the product in the country of origin.
  - Three copies of the Spanish-language draft label that will be used to market the product in Venezuela
  - A list of ingredients, including additives, colors and preservatives (if applicable).
3. Once all documents are submitted, MINSALUD will designate an accredited lab to conduct testing on the submitted samples. MINSALUD will then evaluate the lab results and if considered satisfactory, will assign a health registration number.
4. Health registration numbers are subsequently published in the official governmental gazette.  
Please note:
  - Imported brandy, cognac, whisky and rum must have been aged for at least three years. Wines aged and named "aged" or "extra aged" must show a proof that they have been aged two or three years respectively.
  - Only wines are allowed to be imported in barrels except for those products which will be processed by industrial establishments for other purposes. All alcoholic beverages must be registered and licensed for consumption by the Food Hygiene Division.
  - A customs agent of Venezuelan nationality must carry out customs procedures. Where a legal entity acts as a customs agent, the staff should include a Venezuelan national.

Below is a list of procedures which must be completed to clear the products at the port of entry.

- Incoming shipments must be inspected by an agent of the National Integrated Tax Administration Service. SENIAT will compare the contents of the shipment to ensure that they conform to the invoices, packing lists, and other shipping documents.
- The goods are inspected by MINSALUD.
- A SENIAT appraiser compares the declared invoice price with international prices to monitor for evidence of dumping or tax evasion.
- A customs agent assesses customs, port charges, and taxes and completes a liquidation form.
- The liquidation form, accompanied by the required MINSALUD import permits, is stamped by SENIAT and port authorities.
- The customs agency deposits the amount due in a SENIAT account in a local bank and presents the deposit slip to SENIAT and port authorities to obtain final clearance.
- The merchandise is then released by customs.

### **Import Duties**

Import duties are calculated using the WTO Harmonized Scheduled Tariff classification system on the CIF value of the products (using the commercial invoice as basis). Import duties are assessed, due and payable at time of arrival. Import duties and fees are assessed in local currency; despite the currency listed on the commercial invoice. The IVA rate of twelve percent is calculated on the basis of the CIF value.

### **Customs Fees**

SENIAT charges one percent of the CIF value for processing shipments and for the use of the port of entry. In some cases an additional stamp fee is added to offset the cost of processing these imports. Both the SENIAT Customs & Port Fee and Customs Stamp Fee are calculated on CIF value.

### **Inspections**

Products are inspected by MINSALUD and/or INSAI officers, as applicable, according to the type of product being imported. MINSALUD inspects processed products, while INSAI inspects animal and plant origin products. Regardless of the type of agricultural and processed food products, all imports are subject to inspection by SENIAT, the National Guard (Guardia Nacional), and the Anti-Drug Command (Comando Antidroga). There are no inspection fees.

### **Control of products at Port of Entry levels**

The General Food Law authorizes MINSALUD, INSAI, the National Guard, and SENIAT authorities with the power to reject, confiscate or destroy imported food and agricultural products if:

- Documentation is incomplete
- If permits are invalid
- If the product is determined to be unfit for human consumption
- If the product has insufficient shelf life
- Or if the product is thought to have been adulterated

If the cargo is rejected, it can be temporarily stored at the port of entry at the importer's expense until the appeals procedures have been completed. In cases where imports are confiscated or destroyed because they have been judged by competent authorities to be unfit for consumption, importers are not eligible for compensation.

### **Document Requirements**

According to Venezuelan customs regulations, all imports should be warehoused at the port of entry while customs clearance is being completed. All shippers are urged to provide all documents tendered for customs purposes in Spanish to avoid processing delays. The documents needed for customs clearance include:

- Customs declaration of value
- Commercial invoice (no photocopies accepted)
- Insurance and Freight must be listed separately on the commercial invoice
- Bill of lading
- Certificate of origin
- Shipment manifest
- Phytosanitary or sanitary certificate, if required
- Import license, if required

### **Appendix I. Government Regulatory Agency Contacts:**

Ministerio del Poder Popular para la Salud-MINSALUD

Av. Baralt, Centro Simón Bolívar, Edificio Sur

El Silencio, Caracas

Tel: (58-212) 408-0000

<http://www.mpps.gob.ve>

División Higiene de los Alimentos-MINSALUD

(food registration)

Av. Baralt, Centro Simón Bolívar,

Edificio Sur, piso 3

El Silencio, Caracas

Tel: (58-212) 408-1533/ 484-3066

Fax: (58-212) 483-1533

<http://www.mpps.gob.ve>

Instituto Nacional de Nutrición-INN

Av. Baralt, Esquina El Carmen

Edificio INN

El Silencio, Caracas

Tel: (58-212) 482-6473

<http://www.inn.gob.ve>

Instituto Nacional de Higiene "Rafael Rangel"

Ciudad Universitaria, Detrás Hospital Clínico

Universidad Central de Venezuela

Los Chaguaramos, Caracas

Tel: (58-212) 693-1229/662-5074

Fax: (58-212) 693-4967

<http://www.inhrr.gob.ve>



Ministerio del Poder Popular para la Alimentación-MINPPAL  
Av. Andrés Bello - Edificio "Las Fundaciones"  
Municipio Libertador, Caracas  
Tel: (58-212) 577-0257  
Fax: (58-212) 578-2647  
<http://www.minal.gob.ve>  
Email address of Public Relations: [oirp@minal.gob.ve](mailto:oirp@minal.gob.ve)

Ministerio de Agricultura y Tierras-MAT  
Av. Urdaneta, Edificio "MAT"  
Esquina de Platanal a Candilito  
La Candelaria, Caracas  
Tel: (58-212) 509-0347/ 0348/ 0359/ 0360/ 0361  
<http://www.mat.gob.ve>

Instituto Nacional de Salud Agrícola Integral-INSAI  
Av. Francisco Solano López cruce con calle Pascual Navarro  
Edificio Torre Banvenez, pisos 12, 13 y 14  
Sabana Grande - Caracas  
Tel: (58-212) 705-3416  
<http://www.insai.gob.ve/>

Servicio Nacional de Semillas-SENASEM  
Av. Universidad, Vía El Limón, Edificio INIA  
Maracay, Edo. Aragua.  
Tel: (243) 240-4962/ 240-4911.  
E-mail: [senasem@inia.gob.ve](mailto:senasem@inia.gob.ve)  
<http://www.senasem.gob.ve>

Ministerio del Poder Popular para el Comercio-MINCOMERCIO  
Av. Lecuna, Torre Oeste de Parque Central  
Entrada Nivel Lecuna  
Caracas  
Tel. (58-212)-509-6861  
<http://www.mincomercio.gob.ve/>

Servicio Autónomo Nacional de Normalización, Calidad, Metrología y Reglamentos Técnicos-  
SENCAMER  
Av. Libertador, C.C. Los Cedros, Planta Baja  
La Florida, Caracas  
Tel: (58-212) 761-6474  
<http://www.sencamer.gob.ve>

Servicio Autónomo de la Propiedad Industrial-SAPI  
Centro Simón Bolívar, Edificio Norte, Piso 4  
El Silencio, Caracas  
Tel: (58-212) 481-6478  
Fax (58-212) 483-1391  
<http://www.sapi.gob.ve>

Instituto para la Defensa de las Personas en el Acceso a los Bienes y Servicios-INDEPABIS  
Av. Libertador, C.C. Los Cedros, Planta Baja  
La Florida, Caracas  
Tel: (58-212) 0-800-INDECU  
<http://www.indecu.gob.ve>

Servicio Nacional Integrado de Administración Aduanera y Tributaria-SENIAT  
Av. Blandín, C.C. Mata de Coco, Torre SENIAT  
La Castellana, Caracas  
Tel: (58-212) 274-4000/ 274-4026  
<http://www.seniat.gob.ve>

Comisión de Administración de Divisas-CADIVI  
Av. Leonardo Da Vinci, Edificio PDVSA, Piso 3  
Los Chaguaramos, Caracas  
Tel: (58-212) 606-3939  
<http://www.cadivi.gob.ve>

## **Appendix II. Other Import Specialist Contacts:**

### **Venamcham**

#### **Venezuelan-American Chamber of Industry and Commerce**

2da.Av. de Campo Alegre, Torre Credival, Piso 10, Ofic.A, Caracas 1060, Venezuela  
Telf: (58-212) 263-0833/267-20-76/64-81  
Fax: (58-212) 263-20-60  
<http://www.venamcham.org.ve>

### **ANSA (Asociación Nacional de Supermercados y Autoservicios)** **National Supermarket Association**

Ave. Principal de los Ruices  
Centro Empresarial Los Ruices  
Piso 1, Ofic. 116  
Caracas 1071, Venezuela  
Tel: (58-212) 234-4490 / 235-7558  
Fax: (58-212) 238-0308  
<http://www.ansa.com.ve>

### **CAVIDEA (Cámara Venezolana de la Industria de Alimentos)** **Venezuelan Food Industry Chamber**

Ave. Principal de los Ruices  
Centro Empresarial Los Ruices  
Piso 5, Ofic. 510  
Caracas 1071, Venezuela  
Tel: (58-212) 237-6183  
Fax: (58-212) 237-9918  
<http://www.cavidea.org.ve>

## **USDA/ FAS CARACAS OFFICE CONTACT INFORMATION**

Office of the Agricultural Counselor  
American Embassy  
Calle F c/c Suapure  
Colinas de Valle Arriba  
Caracas, 1070, Venezuela  
Tel: (58-212) 907-8333  
Fax: (58-212) 907-8542  
Web page: <http://caracas.usembassy.gov/>  
Email: [AgCaracas@fas.usda.gov](mailto:AgCaracas@fas.usda.gov)

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